

FLORENCE TOWNSHIP COUNCIL EXECUTIVE SESSION

OCTOBER 10, 2018

8:00PM

CALL TO ORDER & FLAG SALUTE

Council President Ostrander called the meeting to order and led the Salute to the Flag.

SUNSHINE STATEMENT

The Opening Statement was read by the Township Clerk: Notice was sent to Trenton Times for information; posted on the municipal bulletin board; placed on the web-site on January 4, 2018. Notice was advertised in the Burlington Co. Times on January 7, 2018.

ROLL CALL

Present: Frank Baldorossi, Ted Lovenduski, Jerry Sandusky, Dave Woolston, Paul Ostrander

Also present: Mayor Craig H. Wilkie; Richard A. Brook, Township Administrator; Thomas A. Sahol, Assistant Municipal Administrator; Kelly Grant, Esq., Township Attorney; Nancy Erlston, Township Clerk

PUBLIC COMMENT

Council President Ostrander opened the meeting to the public at this time. Seeing no one wishing to be heard, it was the Motion of Woolston, seconded by Lovenduski to close the public comments. Roll call vote – all ayes.

BUSINESS

A. Resolutions

**Resolution No. 2018-233
Authorizing Refunds of Certain Tax Overpayments**

It was the Motion of Lovenduski, seconded by Woolston to approve Resolution No. 2018-233.

Upon roll call, Council voted as follows:

YEAS: Baldorossi, Lovenduski, Sandusky, Woolston, Ostrander

NOES: None

ABSENT: None

B. Ordinances

**ORDINANCE NO. 2018-25
AN ORDINANCE FIXING THE COMPENSATION OF EMPLOYEES OF THE
DEPARTMENT OF POLICE OF THE TOWNSHIP OF FLORENCE
CAPTAIN AND LIEUTENANT**

2018 – 2020

(2nd Reading) (Public Hearing & Adoption)

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It was the Motion of Sandusky, seconded by Lovenduski to open the meeting to the public regarding Ordinance No. 2018-25. All ayes.

Seeing no one wishing to be heard, it was the Motion of Baldorossi, seconded by Lovenduski to close the public hearing. All ayes.

It was the Motion of Baldorossi, seconded Lovenduski to adopt Ordinance No. 2018-25.

Upon roll call, Council voted as follows:

YEAS: Baldorossi, Lovenduski, Sandusky, Woolston, Ostrander

NOES: None

ABSENT: None

C. Review Transient Merchant Ordinance:

Jarhead Johnhny's & Sons Hot Dogs & Catering LLC

Proposed hot dog cart at Conoco Gas Station and A-1 Market

Administrator Brook said Council was given a copy of a letter provided by Meghan Gladwell, a copy of the current ordinance and an outline of what is being proposed and what the concerns are. He asked the Gladwells to provide an overview from their perspective what they are proposing.

John and Meghan Gladwell, 240 Fifth Avenue, approached. Mr. Gladwell said he wants to add to the town by opening a hot dog vending cart. He hopes to support his family. He hoped everyone read the letter he previously provided. He would like to bring something good to the town and is not taking away from anything. It will not take away from any of the established businesses that are here. He wants to work with them. They have been residents of the township since he returned from Iraq in 2007. He likes what is here and loves the fact that people are coming to the town. They are wanting more. Things seem to be happening in a good way. He would like his children to grow up in a good town.

Mayor Wilkie asked if the property owners have given consent. Mr. Gladwell said they have. He said he has signed contracts from both of them. He also has a contract with Keating's for storing the cart. He used to store equipment there when he was a heavy machinery operator. He wanted to continue that and keep feeding the money back into the town. The owners of Keating's were more than willing to work with him. Mike from A-1 Food Mart, has know him and his children for years and they speak on a daily basis. He used to buy his diesel fuel from Conoco and spent a lot of money there at that time. He would like to be able to give back to the people who work. He has been a working man his entire life. He will be standing out manning his cart in all types of weather. He wants to give back to the police officers, the firefighters, and other people who work hard for a living.

Mayor Wilkie said this reminds him of Pete's Pizza Truck at Nyikita Field. It had to relocate to the property on Amboy and Hornberger Avenues. That was in the eighties and nineties. He asked Mr. Gladwell when he would be operating. Mr. Gladwell said right now he is planning on five days a week on Route 130 at the Conoco. It would be Monday through Friday. Then he would like to be

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in town at dinner time on Friday, Saturday and Sunday evenings. It would be at the A-1 Food Mart. It is a place where people could come enjoy a good meal. They could come in on the Riverline and enjoy a nice date night or a family evening out. He estimates it would be from about 5:00pm to 8:00pm. That would keep people from loitering. There wouldn't be any loud music playing. He just wants to serve some food. If the pizza restaurant reopens, he is more than willing to work with them too. It would bring more business for him and for the pizza restaurant.

Councilman Sandusky asked if it was going to be a take-out service. Mr. Gladwell said it is take out. Councilman Sandusky asked if people would be eating there. Mr. Gladwell said they would not be eating there.

Mayor Wilkie said if he remembers correctly, part of the issue before was the zoning. There was also another issue with a barbeque stand at the Liquor Barn. Council President Ostrander said he believed with that there were issues with the Department of Health. Mayor Wilkie said the question is what is and what isn't permitted.

Administrator Brook explained that the way the code is written it is not set up for this type of business. Not that it is anti-business, it just isn't written for something like this. We live in a day and time where no one would have foreseen the boom in food trucks or even the fact that so many people would eat outside, as is evident with many restaurants these days. Times change and get adjusted. One of the questions is if Council would be inclined for this type of business for a gentleman who is a disabled veteran. Is there a way to amend the code to allow it? It would still require all the proper permits, especially when dealing with a propane tank. There needs to be safety, not only for the operators, but for those that are nearby. Council would need to consider if it would like to amend the ordinance for a situation like this. If the ordinance were amended to permit food carts, then anyone could apply for and be granted a transient merchant license for a food cart. However, Solicitor Grant had mentioned to him that there may be a state law that applies to someone who qualifies as a disabled veteran that would entitle them operate under a municipal code in a manner such as this.

Councilman Sandusky said he likes the idea. There are only a couple things he doesn't like. He doesn't know if going to different locations is a good idea. He thought if it was in just one location people would know he was there. Mr. Gladwell said he is a catering business as well. He didn't want to confine himself to only a brick and mortar facility. He wants to be able to help people in town and participate in local events. He wants to be able to go place to place and help people everywhere. Mayor Wilkie asked where his catering facility was located. Mr. Gladwell said it is the cart. He said he provided everything that was required under the Transient Merchandise ordinance. He said if there is anything else required he is willing to provide it.

Council was in agreement that they were in favor of the idea. Administrator Brook asked Solicitor Grant to explain the state law she mentioned. Solicitor Grant said there is a state statute that allows a disabled veteran to vend and peddle. That would be the threshold for the town. The town could amend the code to allow a disabled veteran, who was qualified by the state, and received the state license, to vend and peddle in town and forgo the Transient Merchant Permit Application. The state license would cover the municipal license. The code would need to be amended to allow the disabled veterans license. It would be limited to disabled veterans. All were in agreement to amend

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the ordinance while Mr. Gladwell applies for the state license. Mayor Wilkie noted there may need to be some zoning approvals sought, but that is outside of the control of Council. Mr. Gladwell thanked everyone.

Administrator

Administrator Brook said everyone was familiar with what happened with Barrett Paving and the damage to tires from Hornberger Avenue. Mr. Barrett did get in contact with Assistant Administrator Sahol. There will be a change order in the contract to deduct the cost the township will incur to reimburse those who had damage. Everyone will be made whole and the township will not incur any out of pocket expenses.

Next week there will be an ordinance for a backhoe and the last salary ordinance will be on the agenda. That is the non-union salary ordinance that will set the range. It is required every year.

Also, the township has been in touch with the state about the legislation involving contributions individuals can make that might be credits for their IRS filings. At the present time no municipality in the State of New Jersey has implemented the law because the law is confusing. The township has been in touch with the League of Municipalities and representatives will be attending seminars. The township has spoken in depth with the resident who had a concern about it.

Assistant Administrator

- **MDA Eats N' Beats Fundraiser-5K Run**

Assistant Administrator Sahol noticed there was someone in attendance from the Eats N' Beats fundraiser group. The fundraiser was held for the first time last year at the Roebling Museum. They would like to hold it again on April 20th at the museum. They would like to incorporate a fundraiser 5K run. He showed the map of the route. It travels through the village and along the river. Lieutenant Albert Jacoby has reviewed the route and the Police Department is comfortable that it would be an easy operation for traffic control during the 5K. The biggest concern is Hornberger Avenue but the runners should clear out of there rather quickly. Police Chief Brian Boldizar is recommending that this be something Council approve and he would coordinate it. Assistant Administrator Sahol said he is bringing it to Council now so the organizers can promote the event. They are hoping to have it in the Community Calendar and that is going to print within the next three weeks.

Denise Paykos, 108 Sixth Avenue, said she is one of the event organizers. She had with her Aisha O'Donnell, who is coordinating the 5K. She offered to answer any questions. Council President Ostrander asked what time the run would begin. Ms. Paykos said the race would be first. Ms. O'Donnell said they are hoping to have a 10:00 a.m. start time for the race. Usually most of the 5K races she organizes end within an hour. If people can't complete the race within that time, they can continue walking it, but would basically not be receiving any course support at that point. The end of the course is in the park. It would be broken down by 11:00 a.m. and then the event would be heading into the museum. Then the festival would begin. Ms. Paykos said the plan is to give the runners an hour before the general public is let into the event. Then the gates would be opened to the general public. Last year there were eight food trucks and six bands with non-stop music. The event raised over \$13,000 for Muscular Dystrophy. Over 1,700 people came to the event last year. They were thrilled with the success of the event for it being the first year. They are hoping for more

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people this year. Hopefully the race component will draw even more people to the festival. There are some exciting additions this year. She predicts it will be a fun event and is an opportunity to raise funds for a great cause. To her personally, it meant a lot to her last year that the MDA Ambassadors came into the event in a very special way, and former Mayor Bill Berry's granddaughter was one of those children. She said the organizers would love to have the blessing of Council and to have it printed in the Community Calendar.

It was the Motion of Sandusky, seconded by Lovenduski to approve the 5K Run. All ayes.

- **Burlington County Farmland Preservation Program-Acquisition Targeting List**

Assistant Administrator Sahol said he provided a memo that outlined the County's Acquisition Target List for the Permanent Preservation Program. This is done year to year. In the past couple of years the township added a few locations. The Von Thaden property is still on the list. The others were taken off because it was determined that the land wasn't suitable for preservation. He said it would be his recommendation to continue to keep the current properties on the Acquisition Target List.

It was the Motion of Sandusky, seconded by Baldorossi, to approve Assistant Administrator Sahol keeping the same and submitting it to the County. All ayes.

Assistant Administrator Sahol said there were a few things he wanted to provide updates for that weren't listed on the agenda.

The Potts Mill Road Paving Project is progressing very nicely. The contractor is making really quick headway with the concrete curbing and sidewalks. It is a better place to work versus in the community where there are more parking and traffic issues. He hopes by the end of next week all the concrete work and curbing will be done. The widening across from the Friday Property should be done within a week. Shortly thereafter the paving should be done. He is very happy with the progress.

MECO experienced many delays. It is finally to the point where they are opening roads and milling to prepare for this Saturday's first paving as part of the 2018 Road Program. Hopefully they will be milled within the next few days and Saturday the paving will begin. By next week they should provide a schedule of what will be milled next. They will be mobilizing more fully into the community next week. They are moving along pretty well. He will provide a schedule whenever he is given updates to keep everyone informed.

Mayor

Mayor Wilkie said regarding the Veteran's Day Program, this year will mark the 100th Anniversary of the end of WWI. Next year it will be the 100th Anniversary of the start of the American Legion. Post 194, who has always held a Veteran's Day Service at 11:00 a.m. at the Eagle Monument, is planning something a little more extensive this year. He was told today there will be additional speakers as well as the High School Marching Band participating. He was asked if the annual township program could be moved to noon. He said that could be done, or everything could be done at the Eagle Monument this year. He wanted to share the information with Council. He is supposed to be getting a response shortly. It is a Sunday and the post has agreed to host a reception

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following the service. Councilman Sandusky said he is not opposed to the change but wanted to be sure the public would be well informed. Mayor Wilkie said since it will be a Sunday morning a letter will be sent to all of the churches. Information will be distributed as well as can possibly be done.

This Saturday is the Octoberfest at the Roebling Museum. It starts at 2:00 p.m. and runs to 7:00 p.m. On Sunday St. Stephens & Barnabas Church will be holding their annual blessing of the first responders and their vehicles. That is scheduled for 9:00 a.m. and all are welcome to attend.

Assistant Administrator Sahol said there was something he forgot to discuss. He had provided a memo and two maps regarding the CDBG Application. The township applies every two years, it is a two-year cycle. The 2019-2020 Cycle is now due. The township has jumped between structures and roadway-type improvements such as sidewalks and handicapped improvements. Last year the township used the funding for handicapped-accessible lavatories at the Friday Property. This year he recommends taking the two census tract areas he provided on the map and apply for ADA improvements on street corners and to install sidewalks that are missing. The township has been installing and repairing a massive amount of sidewalk in the community but there is still a long way to go. It is especially important in areas where children are travelling. He would like to work with the school district to better identify the areas where children would be walking to and from the bus or school. He would like to put the application for these purposes. He would work with the Township Engineer to prepare a resolution authorizing the application. All were in agreement for Assistant Administrator Sahol to move forward with the CDBG Application.

PUBLIC COMMENT

Don Kamienski, 10 McCay Drive, asked for a point of clarification. There are two Conoco Gas Stations on Route 130. He wanted to know where the hot dog cart would be. Mr. Gladwell said right now he is planning to have the cart at the Conoco near Cedar Lane.

It was the Motion of Lovenduski, seconded by Sandusky to close the public comments. All ayes.

ADJOURNMENT

8:32 PM MOTION of Lovenduski and seconded by Woolston to adjourn. Roll call vote – all ayes. Motion carried.

Respectfully submitted,

Nancy L. Erlston
Township Clerk
/aek